

USSN: 09/779,382

PATENT

REMARKS

This Amendment is in response to the Office Action mailed August 16, 2004. Claims 1-17 are pending in the present application. In the Office Action, the Examiner objected to the Abstract, issued a provisional obviousness-type double patenting rejection with regard to claims 1-17, rejected claims 5, 6, 13, and 14 under 35 USC 112, and rejected claims 1-17 under 35 USC 103. Applicant has amended claims 1, 5, 10, and 13. Applicant has cancelled claims 6 and 14. Applicant responds as follows:

Objections to the Specification

The Examiner objected to the Abstract. Applicant has cancelled the Abstract and submitted a new one as shown above. The rejection is now moot.

Double Patenting Rejection

The Examiner issued a provisional double patenting rejection with regard to claims 1-17. Applicant has filed a terminal disclaimer in compliance with 37 CFR 3.73(b). The rejection is now moot.

Rejections under 35 USC § 112

The Examiner rejected claims 5, 6, 13, and 14 under 35 USC 112. Applicant has amended claims 5 and 13 changing "the first" to "the first mode". Claims 5 and 13 now have elements which all have antecedent basis. Applicant

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has cancelled claims 6 and 14 so the rejection with respect to those claims is moot.

Rejections under 35 USC § 103

The Examiner has rejected claims 1-17 under 35 U.S.C. § 103(a) as being unpatentable over Whiting et. al. (US Patent No. 5,016,009) in view of Horvath et. al. (US Patent No. 5,450,599). The Examiner stated that Whiting does not disclose a "second mode to receive the token at the port". The Examiner further states, however, that Horvath discloses such a limitation. Applicant has amended independent claims 1 and 10 to include the limitation that the tokens have "information for preparing an initial and/or an intermediate stage for processing." For the reasons stated below, it would not be obvious to combine Whiting with Horvath when the above limitation is included in the claims.

I.

Horvath does not disclose tokens having information for preparing an initial and/or an intermediate stage for processing.

Horvath discloses sequential pipelined processing for the compression and decompression of image data. Horvath does not include tokens that prepare one or more stages for processing, for use at an "initial stage or an intermediate stage". In Horvath, even if there is a "second mode to receive the token at the port", the port and the token in Horvath operate at an "initial stage" and processes the data as such.

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For instance, if the "block" in Horvath is for a JPEG, and the operation is for decoding, the control information (i.e., the token) is read out "and the entire block is processed in accordance with the information expressed by the processing control unit" (See column 2, lines 30-33). Likewise, if the operation is to encode the block of image data is compressed in accordance with the control information (tokens).

Horvath, describes a system where even if "tokens" operate in a "second mode", such an operation occurs in the initial stage only and does not operate at an intermediate stage. In contrast, the present invention might not only use the "control tokens in the second mode" at an initial stage, but also at an intermediate stage at some time after the initial stage, and before reaching a final stage. As such, Horvath does not render obvious the present invention as amended.

Therefore, Applicant believes that independent claims 1-10 and their respective dependent claims are distinguishable and non-obvious over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

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CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,
DISCOVISION ASSOCIATES



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Dated: December 14, 2004


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9306 on:

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Calleen A. Smothers
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